

303 E. Broad Street
Columbus, Ohio 43215

MUR # 7541

October 30, 2018

2018 NOV -9 PM 7:07

OFFICE OF
GENERAL COUNSEL

Office of General Counsel
Federal Election Commission
1050 First Street, NE
Washington, DC 20463

Dear General Counsel,

Please find enclosed a Complaint against the Columbus Metropolitan Club, the Steve Stivers for Congress Campaign, and the Rick Neal for Congress Campaign. Their addresses are included on pages 2 and 3 of the Complaint.

Complainant is the Libertarian Party of Ohio, P.O. Box 29193, Columbus, Ohio 43229. I represent the Complainant. I can be reached at the letterhead address, or at mbrown@law.capital.edu, or 17

Please let me know if I can be of assistance.

Sincerely yours,



Mark R. Brown
Attorney for Complainant, Libertarian
Party of Ohio

FEDERAL ELECTION COMMISSION - 9 7: 01

IN THE MATTER OF:

COLUMBUS METROPOLITAN CLUB; STEVE STIVERS FOR
CONGRESS; RICK NEAL FOR CONGRESS.

MUR NO. 7541

COMPLAINT

1. As explained more fully below, the Columbus Metropolitan Club (CMC), on October 19, 2018 violated the Federal Election Campaign Act (FECA), 2 U.S.C. § 441b(a), by staging and sponsoring a debate between Steve Stivers, the Republican Party candidate for Ohio's 15th congressional district, and Rick Neal, the Democratic candidate for Ohio's 15th congressional district, without using pre-existing objective criteria to select the two participants. See Attachment 1. CMC's debate accordingly constituted illegal corporate campaign contributions to both of those campaigns. The Steve Stivers for Congress ("Stivers campaign") and Rick Neal for Congress ("Neal campaign") campaigns are likewise liable for accepting these corporate campaign contributions with full knowledge that they were being made in violation of the Federal Election Campaign Act (FECA), 2 U.S.C. § 441b(a). See 2 U.S.C. § 441b(a).

2. As explained more fully below, CMC violated the FECA and its implementing regulations by inviting, authorizing and allowing both Stivers and Neal to debate before an audience that included the general public without notifying or inviting Johnathan Miller, the Libertarian Party candidate, who was fully qualified under Ohio law to run for the 15th district congressional seat in Ohio and who will appear as the Libertarian Party candidate for that office on Ohio's November 6, 2018 general election ballot. The debate was further made available to the general public by a local television station, NBC4 WCMH-TV, which with CMC's assistance and permission posted the full debate on its web page and made it freely available to the public. See NBC4i.com (<https://www.nbc4i.com/news/the-spectrum/full-video-rep-steve-stivers-opponent-rick-neal-face-off-in-15th-congressional-district-debate/1540016640>) (last visited October 23, 2018). See generally 11 C.F.R. § 114.4(c) (describing speech corporations may distribute to the general public); 11 C.F.R. §§ 114.3(c)(2) and 114.4(b)(1) (describing permissible campaign-related speech delivered to restricted audiences). See also 11 C.F.R. § 114.4(e) (applying 11 C.F.R. § 114.4(b)'s limitations to non-profit membership organizations).

3. As explained more fully below, CMC's posting of the debate on the NBC4 WCMH-TV web page separately and independently violates the FECA, 2 U.S.C. § 441b(a), because it constitutes an additional "thing of value" donated to the Stivers campaign and the Neal campaign. See FEC Advisory Opinion 1996-11 (stating that non-profit membership corporation

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cannot invite public to hear campaign-related speeches by office-holders or their representatives at a corporation-sponsored meeting).

4. As explained more fully below, the Stivers campaign and the Neal campaign are in violation of the FECA, 2 U.S.C. § 441b(a), because they knowingly accepted and/or continued to accept the aforementioned corporate contributions after having been informed by the Complainant that the debate was being staged without proper pre-existing objective criteria and therefore violated federal campaign finance laws.

5. Complainant, the Libertarian Party of Ohio, has been, and continues to be, injured by CMC's illegal campaign contributions to the Stivers and Neal campaigns because CMC's actions are part of a pattern of CMC's rewarding the two major political parties with corporate campaign contributions through illegal candidate debates. CMC in the past has limited its debates to candidates and representatives of the two major parties. *See, e.g.,* In re Columbus Metropolitan Club, MUR. 6590 (April 20, 2013) (exercising prosecutorial discretion not to pursue CMC's violation). CMC's actions skew the political process in Ohio, benefit the two major political parties and their candidates at the expense of emerging ballot-qualified parties in Ohio—including the Libertarian Party of Ohio—and perpetuate the public illusion of a "two-party system" in Ohio, in which only two political parties are legitimate contenders.

COMPLAINANT

6. The undersigned, Harold D. Thomas, is the chair of the Libertarian Party of Ohio and is fully authorized to act on its behalf in this proceeding. The Libertarian Party of Ohio is affiliated with the Libertarian National Committee and is a fully qualified political party in the State of Ohio that routinely runs candidates for local, state, and federal office. **Its mailing address is: Libertarian Party of Ohio, P.O. Box 29193, Columbus, Ohio 43229.**

RESPONDENTS

7. Columbus Metropolitan Club (CMC) is a non-profit corporation, *see* Ohio Secretary of State, Business Search (<https://businesssearch.sos.state.oh.us/#busDialog>) (last visited October 23, 2018) (reporting that CMC is a non-profit corporation),¹ organized under the laws of Ohio.² **Its mailing address is: Columbus Metropolitan Club, c/o Jane Ann Scott, 100 E. Broad Street, Suite 100, Columbus, OH 43215.**

¹ According to prior filings with the Commission, CMC is a 501(c)(3) corporation within the meaning of the Internal Revenue Code. *See* MUR 5642; MUR 6111 (describing CMC as 501(c)(3) corporation).

² CMC's charter on file with the Ohio Secretary of State does not reveal whether it is a non-profit membership corporation within the meaning of the federal election laws. Assuming that CMC is a non-profit membership corporation, Complainant's charges remain the same. The requirements of, and prohibitions on, non-profit membership corporations and other non-profit corporations are essentially the same for purposes of this Complaint. *Compare* 11 C.F.R. §§ 114.3(c) & 114.4(b) (describing requirements for corporations) *with* 11 C.F.R. § 114.4(e) (describing requirements for membership corporations). Neither type of corporation is allowed to facilitate the campaign-related speech of candidates and/or parties by staging public debates and further distributing those debates to the general public, unless they use pre-existing objective criteria to select the participating candidates.

8. Steve Stivers for Congress is registered with the Federal Election Commission as the campaign for Steve Stivers, who is running as the Republican candidate for Ohio's 15th congressional district during the 2018 general election. **The campaign's registered address is: Steve Stivers for Congress, 4679 Winterset Drive, Columbus, OH 43220.**

9. Rick Neal for Congress is registered with the Federal Election Commission as the campaign for Rick Neal, who is running as the Democratic candidate for Ohio's 15th congressional district during the 2018 general election. **The campaign's registered address is: Rick Neal for Congress, 545 E. Town Street, Columbus, OH 43215.**

FACTUAL ALLEGATIONS

10. Rick Neal and Steve Stivers were both invited before September 25, 2018 by the CMC to debate each other live on October 19, 2018. The debate was scheduled for 12 Noon on that day, would last until 1:15 PM, included lunch for the members of the audience, and was paid for by the CMC. *See Attachment A.*

11. The October 19, 2018 debate between Neal and Stivers was open to the public and included various charges for admission. *See Attachment A.*

12. CMC did not notify nor invite the Libertarian Party's candidate, Jonathan Miller, for Ohio's 15th congressional district.

13. As late as October 8, 2018, CMC continued to publicize the criterion for inclusion in the October 19, 2018 on its official web page as being a 5% polling formula:

While the Columbus Metropolitan Club champions free speech and inclusion our debate policy requires debate participants to receive at least 5% of the projected vote in any recognized and widely published poll. (Examples include Marist, Quinnipiac, and Pew.) At this time, no other candidates have provided information that would qualify them to participate in CMC's debate.

See Attachment A.

14. As early as September 25, 2018, CMC publicized on its official Facebook page that a candidate's inclusion in its October 19, 2018 debate required that candidate's having polled at least 5% in a poll conducted by a widely published polling organization:

While the Columbus Metropolitan Club champions free speech and inclusion our debate policy requires debate participants to receive at least 5% of the projected vote in any recognized and widely published poll. Examples include Marist, Quinnipiac, and Pew.

See Attachment B.

15. On September 25, 2018, CMC responded to a question about Jonathan Miller's exclusion of the debate raised by Harold Thomas, Chair of the Libertarian Party of Ohio by again stating that it had employed a 5% polling formula:

Harold Thomas: Why are you excluding Libertarian Johnathan Miller? Keep in mind that by excluding him, the Columbus Metropolitan Club may be in violation of Ohio campaign finance law and section 501(c)(3) of the Internal Revenue Code for making an in-kind contribution to the accepted candidates.

Columbus Metropolitan Club: Thank you for your inquiry. While the Columbus Metropolitan Club champions free speech and inclusion our debate policy requires debate participants to receive at least 5% of the projected vote in any recognized and widely published poll. Examples include Marist, Quinnipiac, and Pew.

See Attachment B.

16. At the time the invitations were extended to Stivers and Neal -- sometime before September 25, 2018 -- no polling of voters' interest in the election for Ohio's 15th congressional district of any sort had been done by any widely published polling organizations; consequently, neither Stivers nor Neal could have satisfied this published criterion when they were invited.

17. Because no polling of voters' interest in the election for Ohio's 15th congressional district had been performed when Neal and Stivers were invited, it was impossible for them or anyone else, including the Libertarian Party candidate, Miller, to have met this published criterion.

18. To date, no polling of voters' interest in the election for Ohio's 15th congressional district has been performed by any widely published polling organization; thus, to this day it remains impossible for any candidate to meet or have met the CMC's published criterion.

19. On October 8, 2018, after being contacted by Mark Brown, legal counsel for the Libertarian Party of Ohio, who pointed out that it was impossible for anyone -- including Neal and Stivers -- to have satisfied the CMC's published criterion because no polling had been conducted, Andrew Campbell, Vice President for Programming at CMC, sent to Mr. Brown in an e-mail what he claimed was the true pre-existing objective criteria that had been employed by CMC to select Stivers and Neal:

**Columbus Metropolitan Club
General Election Debate Candidate Qualification Criterion 2018**

1. Candidate must be on the ballot as of the date of the Debate AND
2. Must meet all other minimum criteria under the Campaign Finance Act ("the Act") AND
 - a. Must have raised and spent \$100,000 in compliance with the Act as reflected in the last filing statement prior to the Debate OR

b. Must have achieved at least 5% in any published Poll prior to the Debate. In order to be used in this section the poll must:

i. Have a margin of 4.5% or less

ii. Include all of the candidates on the ballot (for the election for which the poll is conducted) at the same time the poll is taken.

If no such poll exists, then section (b) may not be used for Debate eligibility for any candidate and section (a) will be used to determine Debate eligibility for all candidates on the ballot for the election for which the Debate is being conducted.

See Attachment C.

20. Mr. Campbell then forwarded to Mr. Brown by e-mail the Federal Election Commission reports for the Stivers campaign and the Neal campaign that he had downloaded that day, October 8, 2018, and explained that because they had raised and spent more than the stated criterion they were invited. *See Attachment C.*

21. Mr. Campbell also explained in this e-mail to Mr. Brown that it was "impossible" for the Libertarian Party's candidate to satisfy this standard: "Based on our stated criteria, without any FEC campaign finance filing, or record of same, or listing it, would be impossible for us to have considered him as a debate participant at any time past or present." *Id.*

22. In response to Mr. Brown's question of whether Mr. Campbell had any documentary evidence demonstrating that he or CMC actually used this unpublished formula to select Stivers and Neal, while excluding Miller, from the debate, Mr. Campbell refused to do so, stating in a follow-up e-mail: "it seems that you are requesting that I prove my innocence. I am not inclined to do that at this time." *Id.*

23. On October 10, 2018, Oliver B. Hall, special counsel to the Libertarian National Committee, e-mailed to CMC, the Neal campaign, and the Stivers campaign, notification that their planned October 19, 2018 was likely in violation of federal campaign finance laws. Mr. Hall concluded by stating: "If any of you have contemporaneous documentation demonstrating that the debate was staged in compliance with the aforementioned requirements, we ask that you provide them immediately." *See Attachment D.*

24. Neither the Neal campaign nor Stivers campaign responded to Mr. Hall's letter dated October 10, 2018.

25. On October 10, 2018, Jane Scott, President and CEO of CMC, responded to Mr. Hall's letter in an e-mail to Mr. Brown by referring to the October 8, 2018 criterion announced by Mr. Campbell: "If your candidate can meet the conditions detailed in our CMC Debate Qualifications, please communicate this with Andrew Campbell and he will include your candidate in the debate." *See Attachment E.*

26. Mr. Brown responded to Ms. Scott by again asking for any documentary evidence suggesting that this October 8, 2018 criteria existed when Neal and Stivers were selected: "If you have any documentation at all proving that your Club used this formula when it invited Neal and Stivers please send it to me or Mr. Hall." *Id.*

27. On October 22, 2018, Mr. Campbell responded to Mr. Hall about his letter and request for documentation surrounding CMC's newly announced October 8, 2018 criteria by stating in an e-mail that the criteria he employed included the subjective criterion of whether candidates were "running an active campaign":

CMC election season programming was discussed at the "first Friday" June, August and September program committee meetings. On September 7 it was decided that CMC should pursue a 15th Congressional District debate along with several other congressional and statewide issues and races.

At that time, I do the following; 1. Refer to the Ohio Secretary of State website to review the official ballot for each CMC desired forum, issue or race. 2. Specific to the 15th District, identify all candidates on the ballot. 3. Research the candidates, obtain contact information and determine if we can include them in the conversation based on our criteria. 4. Specific to Libertarian candidate Johnathon Miller [sic]; very limited information available. His website is the sole source of reference, where he has incorrectly identified U.S. Senator Sherrod Brown as his congressman. No news coverage, no campaign appearances, and most importantly, no polling or campaign finance reporting is available. 5. Based the information available, or lack thereof, this candidate is not running an active campaign. 6. No contact information for the candidate is available. 7. Move on to the next issue or race.

See Attachment F.

28. Contrary to Mr. Campbell's assertion, Johnathan Miller was running an active campaign and had publicly available contact information on September 7, 2018. *See, e.g.*, Johnathan Miller for Congress 2018 (<http://csjmillier.wixsite.com/iamrunning4congress>) (last visited Oct. 25, 2018).

29. Contrary to Mr. Campbell's assertion, Johnathan Miller's campaign was organized and registered with the Commission as an active campaign for Congress on July 20, 2018. *See* Federal Election Commission, Statement of Organization. FEC Form 1 (<http://docquery.fec.gov/cgi-bin/forms/C00639831/1251338/>) (last visited Oct. 25, 2018).

30. Mr. Campbell further responded on October 22, 2018 to Mr. Hall's letter and request for supporting documentation for CMC's newly announced criteria by stating in an e-mail to Mr. Hall:

The [October 8,] 2018 criteria were carried over from 2017. The date adopted, actually "revised" for 2018, would have been on or around Monday August 6th. The dates 15th District candidate research was conducted was September 7 through September 20. The dates this specific criterion was used to qualify, and later invite the 15th District candidates, was over the period between September 10 through October 5.

See Attachment F.

31. Mr. Campbell included with this e-mail to Mr. Hall a separate Word document as an attachment, *see* Attachment G, stating the same criteria that had been delivered in the text of an e-mail to Mr. Brown on October 8, 2018 and intended to evidence that this policy had been in place since 2017 and had been "revised" for use in 2018; however, technical inspection of the Word document supplied by Mr. Campbell revealed that it had been first created not in 2017 but on October 8, 2018. *See* Attachment H.

32. Mr. Campbell thereafter on October 24, 2018 in a subsequent e-mail to Mr. Hall admitted that the Word document he had sent to Hall with the criteria Campbell claimed to have used had in fact been created on October 8, 2018, as was the prior e-mail containing these criteria that was sent to Mr. Brown: "indeed the doc sent to Brown was created on October 8, content cut and paste from program committee agenda material ... some of which dates back to 2008." *See* Attachment F. Mr. Campbell concluded his October 24, 2018 to Mr. Hall by stating that "counsel advises me to not communicate with you or Mr. Brown further." *Id.*

33. CMC's October 19, 2018 exclusive debate between Neal and Stivers was held as planned, was open to the general public, and was further made available to the general public free of charge by a local television station, NBC4 WCMH-TV, which posted the full debate on its web page and made it freely available to the public. *See* NBC4i.com (<https://www.nbc4i.com/news/the-spectrum/full-video-rep-steve-stivers-opponent-rick-neal-face-off-in-15th-congressional-district-debate/1540016640>) (last visited October 23, 2018).

LEGAL ANALYSIS

34. Regulations passed by the Federal Election Commission (FEC) allow corporations, including non-profits, to invite candidates and their representatives to speak on campaign-related matters to the organizations' "restricted class" memberships. *See* 11 C.F.R. § 114.3(c)(2).³ *See* FEC Advisory Opinion 1996-11.

35. Corporations, non-profits, and incorporated membership organizations, under certain circumstances, are likewise authorized to invite candidates and their representatives "to address or meet members and employees of the organization, and their families, on the organization's premises or at a meeting, convention or other function of the organization." 11 C.F.R. § 114.4(e).

³"Restricted class" membership includes members, their immediate families, and executive/administrative personnel (and their families). It excludes unsalaried employees and the general public. Section 114.3(c)(2) also allows incidental guests and members of the press to attend.

See also 11 C.F.R. § 114.4(b)(1). Candidates may under these circumstances engage in campaign-related speech. See FEC Advisory Opinion 1996-11.

36. Non-profit corporations, including incorporated membership organizations, may lawfully sponsor, hold and broadcast candidates' debates (which necessarily include campaign-related speech) and make these debates open to the general public, see, e.g., 11 C.F.R. § 114(f), so long as the corporations use publicly-stated, pre-existing, objective criteria to select the candidates to be included in the debates.

37. Outside a properly staged debate format, corporations, non-profits, and incorporated membership corporations are prohibited by FEC regulations from inviting or allowing the general public to attend candidates' presentations that include campaign-related speech that they (that is, the corporations, non-profits, and incorporated membership organizations) have sponsored, authorized, organized, or otherwise allowed. See FEC Advisory Opinion 1996-11; 11 C.F.R. § 114.4(b)(1); 11 C.F.R. § 114.4(e); 11 C.F.R. § 114.3(c)(2).

38. The prohibition described in ¶ 37 extends to corporations', non-profits' and incorporated membership organizations' inviting candidates' and parties' *agents and representatives, or any other persons*, to deliver campaign-related speech to a public audience at an event sponsored or promoted by corporations, non-profits and incorporated membership organizations. See FEC Advisory Opinion 1996-11.

39. Interpreting the Commission's regulations allowing non-profit corporations to stage debates, federal courts have ruled that these "[s]taging organizations must be able to show that their objective criteria were used to pick the participants, and that the criteria were not designed to result in the selection of certain pre-chosen participants." *Buchanan v. Federal Election Commission*, 112 F. Supp.2d 58, 74 (D.D.C. 2000) (quoting FEC statement) (emphasis added).

40. In order to come within the protection of this exception, the burden of proof is on the debate staging organizations to actually demonstrate that they employed pre-existing objective criteria and actually used them to select the participating candidates. See *La Botz v. Federal Election Commission*, 889 F. Supp.2d 51 (D.D.C. 2012).

41. Staging organizations may not employ pre-existing objective criteria that minor-party candidates cannot reasonably meet. The court in *Buchanan v. Federal Election Commission*, 112 F. Supp. 2d at 74, stated that "these statements by the regulation's drafters strongly suggest that the objectivity requirement precludes debate sponsors from selecting a level of support so high that only the Democratic and Republican nominees could reasonably achieve it."

42. Staging organizations are absolutely precluded from employing pre-existing objective criteria that are impossible for non-major-party candidates to meet. See *La Botz v. Federal Election Commission*, 889 F. Supp.2d 51 (D.D.C. 2012).

43. Staging organizations are absolutely precluded from simply selecting major-party candidates as the participants in debates. See *La Botz*, 889 F. Supp.2d at 62 ("FEC regulations forbid major party nomination to be the sole criterion employed to select debate participants." (emphasis added); *Buchanan v. Federal Election Commission*, 112 F. Supp.2d 58, 74 (D.D.C. 2000) (quoting FEC statement).

44. Post-hoc rationalizations for debate participant selection are impermissible; "contemporaneous evidence" is required to prove that the staging organization employed pre-existing objective criteria. In *La Botz* the court rejected a belated and unsubstantiated claim that the staging organization had used permissible criteria different from that it had previously advertised: "such affidavits raise the risk that they will merely provide a vehicle for a party's *post hoc* rationalizations. This sole affidavit highlights the absence of any contemporaneous evidence suggesting that ONO employed pre-established selection criteria." *Id.* at 62 (emphasis added).

45. The published criterion employed by CMC, that is, 5% polling in any "widely recognized poll," was by Mr. Campbell's own admission not used to select the participants in CMC's October 19, 2018 debate. It was not used because it could not be used; no polling of this nature had been conducted.

46. Stivers and Neal were therefore selected, and Miller excluded, under some other unpublished, secret criteria.

47. CMC's post-hoc explanation that it employed a different set of criterion that alternatively focused on candidates' fundraising to select the participants in its October 19, 2018 debate is not supported by any form of documentation. The only documents that Mr. Campbell or anyone else affiliated with CMC or the Stivers and Neal campaigns produced were an e-mail dated October 8, 2018 to Complainant's attorney and a Word document that was created on October 8, 2018, both of which were specific responses to Complainant's attorney's informing Mr. Andrew Campbell that no polling for any candidates had been conducted and that CMC's published criterion was therefore impossible to meet. These October 8, 2018 documents, which included the same new criteria, conveniently responded to Complainant's attorney's observation that no polling had been conducted by stating that "If no such poll exists, then section (b) may not be used for Debate eligibility for any candidate and section (a) will be used to determine Debate eligibility for all candidates on the ballot for the election for which the Debate is being conducted." See Attachments C & G (emphasis added).

48. Post-hoc explanations, especially those that were not previously made available to all candidates before the debate was announced, are especially suspect under federal campaign finance laws. This is doubly so when they contradict previously published criteria that were made available to all candidates. In *La Botz v. Federal Election Commission*, 889 F. Supp.2d 51, 62 (D.D.C. 2012), which reversed the Commission's dismissal of a complaint against a debate staging organization, the court explained:

while FEC regulations do not specifically require debate staging organizations to reduce their criteria to writing, it is strongly encouraged:

Although the new rules do not require staging organizations to do so, those staging debates would be well advised to reduce their objective criteria to writing and to make the criteria available to all candidates before the debate. This will enable staging organizations to show how they decided which candidates to invite to the debate. Staging organizations must be able to show that their objective

criteria were used to pick the participants, and that the criteria were not designed to result in the selection of certain pre-chosen participants.

Corporate and Labor Organization Activity; Express Advocacy and Coordination with Candidates, 60 Fed.Reg. 64260-01 (Dec. 14, 1995) (to be codified at C.F.R. pts. 100, 102, 109, 110 & 114), available at 1995 WL 735941.

Moreover, a contemporaneous document in the record contradicts the FEC's conclusion. On September 8, 2010, a member of the ONO consortium wrote: "The Ohio News Organization generally follows the structure used by the Commission on Presidential Debates, which allows for only the *major-party candidates* to debate." AR 37 (emphasis added). As set forth above, FEC regulations forbid major party nomination to be the sole criterion employed to select debate participants. From the Report's analysis, it is unclear whether this email (which suggests that major-party nomination was the sole criterion) was considered and discounted, or whether it was ignored altogether. See *Antosh v. FEC*, 599 F.Supp. 850, 853 (D.D.C.1984) (concluding that the FEC's decision was arbitrary or capricious because it "ignored persuasive evidence in the record"). And conclusions made without explanation or reference to the record suggest that an agency has not "genuinely engaged in reasoned decision making." *Greater Boston Television*, 444 F.2d at 851.

49. CMC's newly announced October 8, 2018 criteria were not made available to all candidates before the debate participants were selected nor were they ever published. They are doubly suspect because they contradict the previously publicly announced 5% criterion (which was impossible to use), and which continued to be announced as late as October 8, 2018 on CMC's web page and on its Facebook page.

VIOLATIONS

50. The Federal Election Campaign Act (FECA) prohibits corporations from making contributions or expenditures "in connection with" federal elections. 2 U.S.C. § 441b(a). The FECA defines "contribution or expenditure" to include "any direct or indirect payment, distribution, loan, advance, deposit, or gift of money, or any services, or *anything of value* to any candidate, campaign committee, or political party or organization." *Id.* § 441b(b)(2) (emphasis added).

51. FEC regulations state that the prohibition found in 2 U.S.C. § 441b include "anything of value" given "to any political party or committee, organization, or any other person in connection with" a federal election. 11 C.F.R. § 114.1(a).

52. Outside a properly staged debate format, corporations (including non-profits and incorporated membership organizations) are prohibited by FEC regulations from inviting or allowing the general public to attend candidates' or political parties' presentations that include campaign-related speech that they (that is, the corporations and incorporated membership

organizations) have sponsored, authorized, organized, or otherwise allowed. *See* FEC Advisory Opinion 1996-11; 11 C.F.R. § 114.4(b)(1); 11 C.F.R. § 114.4(e); 11 C.F.R. § 114.3(c)(2).

53. The prohibitions on campaign-related speech at public events sponsored by corporations extend not only to candidates, their parties, and agents/representatives, but also to "anyone else on their behalf." *See supra* ¶ 52; FEC Advisory Opinion 1996-11.

54. CMC publicly claimed to have staged its October 19, 2018 debate using a published pre-existing criterion -- 5% in an established poll -- that no candidate, not even the two invited candidates, could meet.

55. CMC actually staged its October 19, 2018 debate by simply selecting and inviting the Democratic and Republican candidates.

56. CMC's belated explanation that it had employed permissible pre-existing objective criteria, including a fundraising formula that only the Democratic and Republican candidates happened to meet, between September 7, 2018 and October 5, 2018 is not supported by any contemporary documentary evidence and is belied by its continuing to publicly claim that the two candidates it had invited had polled 5% or more in established polls.

57. CMC violated the rules and regulations described above by inviting only the Republican and Democratic candidates to debate.

58. CMC violated the FECA by making the debate available in its entirety to the general public over the Internet free-of-charge. *See* FEC Advisory Opinion 1996-11.

59. Because campaign-related speech was delivered by Stivers and Neal during their debate, and because they had actual knowledge that the debate had not been properly staged, their campaigns are complicit in CMC's violation and are equally accountable. *See* 2 U.S.C. § 441b(a) (prohibiting "any candidate, political committee, or other person knowingly to accept or receive any contribution prohibited by this section").

DEMAND FOR RELIEF

WHEREFORE, Complainant respectfully requests that the Commission investigate the allegations contained in this Complaint, declare that the Respondents are in violation of the Federal Election Campaign Act and applicable FEC regulations, and impose sanctions commensurate with these violations. This includes attempting immediate conciliation under 2 U.S.C. § 437g(4)(A), instituting proceedings in the United States District Court for the Southern District of Ohio, *see* 2 U.S.C. § 437g(6)(A), and/or referring the matter to the Attorney General of the United States for immediate prosecution. *See* 2 U.S.C. § 437g(5)(C).

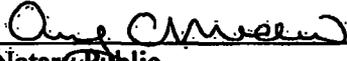
I swear under penalty of perjury that the allegations contained in this Complaint are, upon information and belief, true and correct.

Sworn pursuant to 18 U.S.C. § 1001.

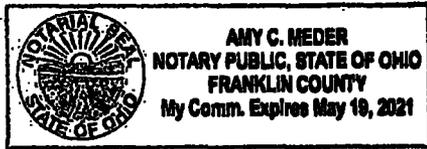


Harold D. Thomas, Chair, Libertarian Party of Ohio
Complainant

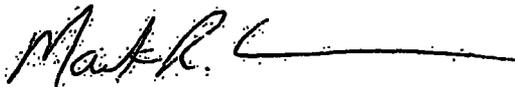
Sworn to and subscribed before me this 2nd day of October, 2018.


Notary Public

My commission expires: May 19, 2021



Respectfully submitted,



Mark R. Brown
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Libertarian Party of Ohio

Oliver B. Hall
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1444 Duke Street
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617-953-0161



15th Congressional District Debate

← Back

📅 Add to my calendar

🕒 **When** 19 Oct 2018
12:00 PM - 1:15 PM

Location The Boat House at Confluence
Park 679 W Spring St, Columbus,
OH 43215

Incumbent **Steve Stivers (R)** will debate **Rick Neal (D)** for the 15th Congressional District House seat. The debate will be moderated by **Colleen Marshall**, Co-Anchor at WCMH NBC4.

Sponsored by: Hannah News Service and Ohio Farm Bureau Federation

In Partnership With: League of Women Voters of Metropolitan Columbus

With Support From: WCMH NBC4

Registration

- **All Are Welcome - Public – \$45.00**

Columbus Metropolitan Club is open to everyone, we hope to see you at the forum!

- **Become a Member! Get this event free with an individual membership today! – \$200.00**

- **Facebook Friends! Hello – \$35.00** 📱

Use the special code found on our Facebook event page and receive \$10 off a public registration.

- **Guest of a Member – \$35.00**
Discounted guest rate is ONLY valid when the sponsoring member also attends the forum. Otherwise the public rate is required.

- **Guest: Sponsor Seat – \$1.00** 📱

- **Guest: Table Attendee** 📱

- **League of Women Voters – \$35.00** 📱

- **Member – \$25.00**
(You must be logged in as a member for this option)

- **Member - Early Bird – \$22.00**
\$22 Early Bird price is ONLY available for on-line payment. You will be charged \$25 for manual payment option.

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One FREE forum per month included in the Lifetime Member payment plan.

Regular Entree: Beef lasagna. Served with a garden salad.

Vegetarian Entree: Vegetable lasagna. Served with a garden salad.

While the Columbus Metropolitan Club champions free speech and inclusion our debate policy requires debate participants to receive at least 5% of the projected vote in any recognized and widely published poll. (Examples include Marist, Quinnipiac, and Pew.) At this time, no other candidates have provided information that would qualify them to participate in CMC's debate.

- **Member - Lifetime (Payment Plan)**
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The Columbus Metropolitan Club
 100 East Broad Street
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 Columbus, Ohio 43215
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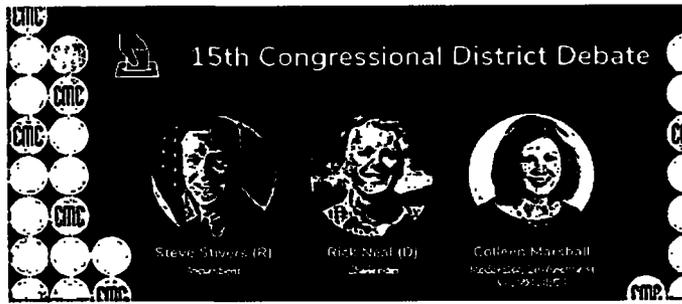
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Friday, October 19, 2018 at 12 PM – 1:15 PM
Next Week ·

The Boat House Restaurant at Confluence Park
679 W Spring St, Columbus, Ohio 43215

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Write something...

FROM NOTIFICATIONS



Columbus Metropolitan Club
October 5 at 11:45 AM ·

Good morning, everyone! We have received several questions regarding the inclusion of 3rd party candidates so we would like to clarify our policy regarding debates:

While the Columbus Metropolitan Club champions free speech and inclusion our debate policy requires debate participants to receive at least 5% of the projected vote in any recognized and widely published poll. (Examples include Marist, Quinnipiac, and Pew.) At this time, no other candidates have provided information that would qualify them to participate in CMC's debate. Please reach out to us if you have any additional questions!

Like

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Write a comment...

RECENT ACTIVITY



Ken Moellman shared a link.
October 5 at 11:28 AM ·

Apparently they want in on this sort of action, too?

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Columbus Metropolitan Club Hi Ken, thank you for sharing your concerns. While the Columbus Metropolitan Club champions free speech and inclusion our debate policy requires debate participants to receive at least 5% of the projected vote in any recognized and widely published poll. Examples include Marist, Quinnipiac, and Pew.

Like · Reply · 3d



Write a comment...

OLDER



Nate Watkins
October 5 at 11:26 AM ·

Is Jonathan Miller going to be in the debate?

1 Comment

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Columbus Metropolitan Club Thank you for your inquiry. While the Columbus Metropolitan Club champions free speech and inclusion our debate policy requires debate participants to receive at least 5% of the projected vote in any recognized and widely published poll. Examples include Marist, Quinnipiac, and Pew.

Like · Reply · 3d



Write a comment...



Sierra Dobbs-Brown
September 28 at 2:26 PM ·

Wondering if they are accepting constituent questions for this debate?

1 Comment

Like

Comment

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Columbus Metropolitan Club Hi Sierra, all of our forums have an audience Q&A section!

Like · Reply · 3d



Write a comment...



Kelli Rodin
September 25 at 7:26 PM ·

I will not be attending this because they're excluding Johnathan Miller for Congress 2018.

3

2 Comments

Like

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Jonathan Berry This is a privately sponsored event. As a Libertarian, you should know private organisations can include and exclude anyone

Like · Reply · 1w



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Columbus Metropolitan Club Thank you for your inquiry. While the Columbus Metropolitan Club champions free speech and inclusion our debate policy requires debate participants to receive at least 5% of the projected vote in any recognized and widely published poll. Examples include Marist, Quinnipiac, and Paw.

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Write a comment...



Harold Thomas September 25 at 7:25 PM ·

Why are you excluding Libertarian Johnathan Miller? Keep in mind that by excluding him, the Columbus Metropolitan Club may be in violation of Ohio campaign finance law and section 501(c)(3) of the Internal Revenue Code for making an in-kind contribution to the accepted candidates.

4

1 Comment

Like

Comment

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Columbus Metropolitan Club Thank you for your inquiry. While the Columbus Metropolitan Club champions free speech and inclusion our debate policy requires debate participants to receive at least 5% of the projected vote in any recognized and widely published poll. Examples include Marist, Quinnipiac, and Paw.

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Write a comment...



Joe Loyd September 25 at 7:24 PM ·

You're missing one of the candidates. Please reach out to Jonathan Miller for inclusion in your event!

2

1 Comment

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Columbus Metropolitan Club Thank you for your inquiry. While the Columbus Metropolitan Club champions free speech and inclusion our debate policy requires debate participants to receive at least 5% of the projected vote in any recognized and widely published poll. Examples include Marist, Quinnipiac, and Paw.

Like · Reply · 3d



Write a comment...



Kryssi Wichers September 25 at 7:21 PM ·

Shouldn't all candidates on the ballot be debating? As a 15th district constituent, I'd like to hear from all my options so I can make the best choice for my family

2

1 Comment

Like

Comment

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Columbus Metropolitan Club Thank you for your inquiry. While the Columbus Metropolitan Club champions free speech and inclusion our debate policy requires debate participants to receive at least 5% of the projected vote in any recognized and widely published poll. Examples include Marist, Quinnipiac, and Paw.

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Susan Hyde replied · 1 Reply

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Columbus Metropolitan Club Hi Kyle. Susan summed this up pretty well. We are a non-profit organization and the cost of your ticket covers the cost of your lunch. We record all of our forums and broadcast them on our website, as well as CTV (Columbus TV), and on PBS stations across the state.

Like · Reply · 3d



Kyle Lewis Thanks!

Like · Reply · 3d



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Chat (2)

100011474188

10/8/2018

RE: 2018 debate criteria

RE: 2018 debate criteria

Brown, Mark

Sent: Monday, October 08, 2018 3:47 PM

To: Andrew Campbell [andrew@columbusmetroclub.org]

Cc: ; Paul, Beth

Thanks Mr. Campbell,

Thank you for your timely response. As I told you on the phone, you do not have to speak to me or communicate with me in any way. You volunteered. As for proving your innocence, I was simply pointing out that federal law requires that your organization prove via documentation that it has complied with federal tax laws and the federal campaign finance laws when it makes contributions to candidates. The La Botz case I sent you says that.

As for my time, I am as you apparently know a faculty member at Capital University. I am also a licensed attorney in Ohio. The Supreme Court of Ohio, my licensing organization, strongly encourages lawyers (including me) to donate pro bono legal services. See <http://www.supremecourt.ohio.gov/AttySvcs/officeAttySvcs/proBono.pdf>. Capital is a member of the AALS (Association of American Law Schools) and is certified by the ABA (American Bar Association). These two organizations both strongly encourage students and faculty alike to engage in pro bono activities. See, e.g., https://www.americanbar.org/groups/legal_education/resources/pro_bono.html; <https://www.aals.org/sections/list/pro-bono/>.

I take my pro bono obligations seriously, and have for about 15 years now donated significant efforts to organizations devoted to reforming ballot access laws and additional barriers presented by governmental and private entities to full and fair treatment in the voting booth. I have represented the Socialist Party, the Natural Law Party, the Libertarian Party, Ralph Nader, and many others who have sought to challenge the two-party political system that presently exists in Ohio and the United States. I do so for free. I, like many law professors across the country in various fields of public service, will continue to do so.

In the event, to avoid confusion I include a "For Identification Only" along with my signature block on e-mails. Any omission of that information is inadvertent.

Sincerely,

Mark

Mark R. Brown
Newton D. Baker/Baker & Hostetler Chair
Capital University Law School*
*For Identification Only

From: Andrew Campbell [andrew@columbusmetroclub.org]

Sent: Monday, October 08, 2018 2:56 PM

To: Brown, Mark

Cc: ; Paul, Beth

Subject: RE: 2018 debate criteria

Hello Mr. Brown, it seems that you are requesting that I prove my innocence. I am not inclined to do that at this time. However, I have provided documentation, dialogue, and answered your questions in a timely matter.

I've included Capital University President Beth Paul as I'm sure she'll be interested how you're investing your time there..

I appreciate your outreach and engagement anytime.

My kindest regards,
Andy C

10/8/2018

RE: 2018 debate criteria

From: Brown, Mark <MBrown@law.capital.edu>
Sent: Monday, October 08, 2018 2:17 PM
To: Andrew Campbell <andrew@columbusmetroclub.org>
Cc:
Subject: RE: 2018 debate criteria

Thanks Mr. Campbell,

Do you have documentation, like e-mails, correspondence, etc., proving that you used this financial data to select the invited participants? For example, e-mails to the candidates stating your criteria and asking them to demonstrate that they met it? You did not do this for the LPO candidate, of course, but perhaps you did for the two major candidates. If there is no contemporaneous documentation, it would appear that you cannot meet the FECA requirements. You might take a look at *La Botz v. Federal Election Commission*, 889 F. Supp. 2d 51 (D.D.C. 2012), which warns against post hoc rationalizations.

I have copied Oliver Hall, legal counsel to the Libertarian National Committee.

Thanks.

Mark

Mark R. Brown
 Newton D. Baker/Baker & Hostetler Chair
 Capital University Law School

From: Andrew Campbell [andrew@columbusmetroclub.org]
Sent: Monday, October 08, 2018 1:19 PM
To: Brown, Mark
Subject: RE: 2018 debate criteria

Hello Mr. Brown, please find FEC finance reports for "Active" Ohio 15th Congressional district candidates Steve Stivers and Rick Neal. There is no Federal Election Commission finance report for the candidate you have inquired on behalf of, Mr. Jonathon Miller.

Based on our stated criteria, without any FEC campaign finance filing, or record of same, or listing it, would be impossible for us to have considered him as a debate participant at any time past or present.

I look forward to future opportunities to provide equal time to all candidates who meet the minimum qualifications for debate participation.

My kindest regards,
 Andy Campbell

Steve Stivers FEC election finance report "Active" 2018

TOTAL RECEIPTS	\$3,259,497.24
TOTAL CONTRIBUTIONS	\$3,007,041.38
Total individual contributions	\$953,622.49
<i>Itemized individual contributions</i>	<i>\$942,166.00</i>
<i>Unitemized individual contributions</i>	<i>\$11,456.49</i>
Party committee contributions	\$0.00
Other committee contributions	\$2,053,418.89

Candidate contributions	\$0.00
TRANSFERS FROM OTHER AUTHORIZED COMMITTEES	\$252,455.86
TOTAL LOANS RECEIVED	\$0.00
Loans made by candidate	\$0.00
Other loans	\$0.00
OFFSETS TO OPERATING EXPENDITURES	\$0.00
OTHER RECEIPTS	\$0.00

Total spentBrowse disbursements

Coverage dates: 01/01/2017 to 06/30/2018

TOTAL DISBURSEMENTS	\$2,147,599.70
OPERATING EXPENDITURES	\$1,165,999.70
TRANSFERS TO OTHER AUTHORIZED COMMITTEES	\$20,000.00
TOTAL CONTRIBUTION REFUNDS	\$8,100.00
Individual refunds	\$1,500.00
Political party refunds	\$0.00
Other committee refunds	\$6,600.00
TOTAL LOAN REPAYMENTS	\$0.00
Candidate loan repayments	\$0.00
Other loan repayments	\$0.00
OTHER DISBURSEMENTS	\$953,500.00

Rick Neal FEC election finance report "Active" 2018

TOTAL RECEIPTS	\$921,910.25
TOTAL CONTRIBUTIONS	\$646,910.25
Total individual contributions	\$574,871.48
<i>Itemized individual contributions</i>	<i>\$463,829.65</i>
<i>Unitemized individual contributions</i>	<i>\$111,041.83</i>
Party committee contributions	\$0.00
Other committee contributions	\$42,897.94
Candidate contributions	\$29,140.83
TRANSFERS FROM OTHER AUTHORIZED COMMITTEES	\$0.00
TOTAL LOANS RECEIVED	\$275,000.00
Loans made by candidate	\$275,000.00
Other loans	\$0.00
OFFSETS TO OPERATING EXPENDITURES	\$0.00
OTHER RECEIPTS	\$0.00

Total spentBrowse disbursements

Coverage dates: 07/01/2017 to 06/30/2018

TOTAL DISBURSEMENTS	\$418,758.93
OPERATING EXPENDITURES	\$409,733.93
TRANSFERS TO OTHER AUTHORIZED COMMITTEES	\$0.00
TOTAL CONTRIBUTION REFUNDS	\$7,525.00
Individual refunds	\$7,525.00
Political party refunds	\$0.00
Other committee refunds	\$0.00
TOTAL LOAN REPAYMENTS	\$0.00
Candidate loan repayments	\$0.00

10/8/2018

RE: 2018 debate criteria

Other loan repayments
OTHER DISBURSEMENTS

\$0.00
\$1,500.00

From: Andrew Campbell
Sent: Monday, October 08, 2018 12:50 PM
To: 'mbrown@law.capital.edu' <mbrown@law.capital.edu>
Subject: 2018 debate criteria

Columbus Metropolitan Club General Election Debate Candidate Qualification Criterion 2018

1. Candidate must be on the ballot as of the date of the Debate AND
2. Must meet all other minimum criteria under the Campaign Finance Act ("the Act") AND
 - a. Must have raised and spent \$100,000 in compliance with the Act as reflected in the last filing statement prior to the Debate OR
 - b. Must have achieved at least 5% in any published Poll prior to the Debate. In order to be used in this section the poll must:
 - i. Have a margin of 4.5% or less
 - ii. Include all of the candidates on the ballot (for the election for which the poll is conducted) at the same time the poll is taken.

If no such poll exists, then section (b) may not be used for Debate eligibility for any candidate and section (a) will be used to determine Debate eligibility for all candidates on the ballot for the election for which the Debate is being conducted.

Andrew Campbell
Vice President of Programming
Columbus Metropolitan Club

100 East Broad Street, Suite 100
Columbus, OH 43215
614.464.3220 ext 2 cell: 614.886.3793

Like us! 

ATTACHMENT D

100014141001



October 10, 2018

The Columbus Metropolitan Club
100 East Broad Street
Suite 100
Columbus, Ohio 43215

Steve Stivers
Stivers Headquarters
211 S. 5th Street
Columbus, OH 43215

Rick Neal
Rick Neal for Congress
545 E. Town St.
Columbus, OH 43215

Dear Columbus Metropolitan Club, et al.,

We represent the Libertarian Party of Ohio and the Libertarian National Committee. It has come to our clients' attention that the Columbus Metropolitan Club, a registered 501(c)(3) organization, is staging a debate between Steve Stivers, who is a Republican, and Richard Neal, who is a Democrat on October 19, 2018. The two are running against each other for the 15th congressional seat in Ohio. The staging of this debate unfortunately ignored the Libertarian Party of Ohio's candidate, Jonathan Miller, who is also a qualified candidate in that race.

According to the Metropolitan Club's web page, in order to qualify for this debate a candidate must meet a 5% polling requirement in recognized polls. That is the only published standard. Your Facebook account repeatedly reiterates this as the sole standard in responses to several inquiries. Your responses are dated September 25, 2018.

Andrew Campbell in your office was kind enough to speak with the undersigned Mr. Brown by phone on October 8, 2018. After Mr. Brown left a message with your office explaining that it was impossible for any candidate to meet your 5% polling standard -- no polling had been done whatsoever -- Mr. Campbell stated that the Metropolitan Club had employed an alternative standard based on the amount of money candidates had raised. This alternative was never published and was first revealed on October 8, 2018 in an e-mail Mr. Campbell sent to Mr. Brown. The standard contained in that e-mail is not contained in a separate document, but was typed into the text of the e-mail.

When Mr. Brown asked Mr. Campbell whether that alternative standard had actually been used to invite Stivers and Neal to participate in the debate -- invitations that obviously had been extended before September 25, 2018 -- Mr. Campbell said he did not know. He said he assumed those campaigns had met the alternative standard; he later that day e-mailed their FEC reports

indicating they had. In that e-mail, he also stated that it "would be impossible for us to have considered him [Jonathan Miller] as a debate participant at any time past or present."

When Mr. Brown asked via e-mail that Mr. Campbell produce a single document indicating that the alternative standard he claimed to now be using existed when the invitations to Stivers and Neal were made or was actually used to extend the invitations to Stivers and Neal, Mr. Campbell demurred. Apparently such documentation does not exist.

Please be advised that the Metropolitan Club is likely violating federal tax laws and the Federal Election Campaign Act (FECA) by staging an exclusive debate between the two major-party candidates without employing permissible pre-existing and objective standards to select the participants. Under the federal Internal Revenue Code (IRC), 501(c)(3) organizations may sponsor candidate debates so long as they provide a fair and neutral forum and equal time to all legally qualified candidates. *See* Rev. Rul. 86-95, 1986-2 C.B. 73. The IRS considers several criteria in determining whether the organization satisfies this standard: first and foremost, the debate's sponsors must have invited all legally qualified candidates for the contested office. If this proves impracticable, the sponsoring organization may limit debate participants to those who meet the organization's pre-existing, objective and established standards. Polling, for example, may be used to limit participating candidates to those who achieve a pre-existing, established and stated percentages. *See* T.A.M. 9635003 (April 19, 1996). But these percentages must actually be used – an impossibility for the Stivers-Neal debate because no poll for any candidates was ever taken.

What 501(c)(3) organizations absolutely cannot lawfully do is simply select the candidates of the two major parties for their debates. Federal tax law relies heavily on section 110.13(c) of Title 11 of the Code of Federal Regulations, which states: "For all debates, staging organization(s) must use pre-established objective criteria to determine which candidates may participate in a debate. For general election debates, staging organizations(s) shall not use nomination by a particular political party as the sole objective criterion to determine whether to include a candidate in a debate." Consequently, to the extent the Club simply invited Stivers and Neal because they were major-party candidates, it violated the IRC.

In terms of the FECA, section 110.13 of the Code of Federal Regulations allows corporate contributions and expenditures to be used to defray the costs of conducting candidate debates, but only when those debates are held by nonpartisan organizations that comply with the four conditions stated therein. Most importantly, non-profit debate staging organizations are required to use "pre-established objective criteria to determine which candidates may participate in the debate." 11 C.F.R. § 110.13(c) (emphasis added), and cannot "use nomination by a particular political party as the sole objective criterion to determine whether to include a candidate in a debate." *Id.* (emphasis added).

Interpreting this regulation, federal courts have ruled that "[s]taging organizations must be able to show that their objective criteria were used to pick the participants, and that the criteria were not designed to result in the selection of certain pre-chosen participants." *See Buchanan v. Federal Election Commission*, 112 F. Supp.2d 58, 74 (D.D.C. 2000) (quoting FEC statement) (emphasis added). The burden is on the staging organization. The court in *Buchanan v. Federal Election Commission*, 112 F. Supp.2d at 74, further stated that "[t]aken together, these statements by the regulation's drafters strongly suggest that the objectivity requirement precludes debate sponsors from selecting a level of support so high that only the Democratic and Republican nominees could reasonably achieve it."

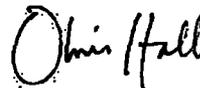
Consequently, debate staging organizations cannot rely on party status to select participants, cannot simply select the two major party candidates, and cannot employ criteria that are impossible for new and/or minor parties to meet. *See La Botz v. Federal Election Commission*, 889 F. Supp.2d 51 (D.D.C. 2012). In the *La Botz* case, for example, the federal district court in Washington, D.C., ruled that the Ohio News Organization's (ONO) practice of selecting only the two major parties' candidates for debates was illegal under federal law before remanding the matter to the Federal Election Commission: "The Ohio News Organization generally follows the structure used by the Commission on Presidential Debates, which allows for only the *major-party candidates* to debate. As set forth above, FEC regulations forbid major party nomination to be the sole criterion employed to select debate participants." *Id.* at 62.

Of great importance in *La Botz* -- because it happens so often and appears to be happening now with the Metropolitan Club -- the court rejected the ONO's belated attempt to claim that it had employed pre-existing objective criteria when its previous documented statements established a different standard. No pre-existing documentation supported the belated claim. All the Ohio News Organization had offered was the affidavit of Benjamin Marrison, the editor for the Columbus Dispatch, who claimed that pre-existing objective criteria were used. This affidavit was dismissed by the federal court out of hand: "this affidavit was only submitted after the FEC inquiry had commenced. And such affidavits raise the risk that they will merely provide a vehicle for a party's *post hoc* rationalizations. This sole affidavit highlights the absence of any contemporaneous evidence suggesting that ONO employed pre-established selection criteria." *Id.* at 62 (emphasis added). Post-hoc rationalizations are not enough; contemporaneous documentation is required.

Please be advised that our clients believe the Club's, Mr. Stivers's and Mr. Neal's actions violate federal law. If any of you have contemporaneous documentation demonstrating that the debate was staged in compliance with the aforementioned requirements, we ask that you provide them immediately. Should the debate proceed as planned without the required documentation, our clients are prepared to take the necessary steps to protect their and the public's interests in both fair elections and fairly administered charitable organizations.

The undersigned counsel for the LPO can be reached at 614-236-6590. The undersigned counsel for the LNC can be reached at 617-953-0161.

Sincerely yours,



Oliver B. Hall
Attorney-at-Law
Counsel to Libertarian National Committee

Mark R. Brown
Attorney-at-Law
Counsel to the Libertarian Party of Ohio

ATTACHMENT E

1003444N 5100N

RE: 2018 debate criteria

Brown, Mark

Sent: Wednesday, October 10, 2018 4:12 PM

To: Jane Scott [jane@columbusmetroclub.org]; Andrew Campbell [andrew@columbusmetroclub.org]

Cc: oliverbhall@gmail.com; brett.kappel@akerman.com

Thanks Ms. Scott,

Mr. Campbell already sent that to me. It is not dated, and there is no way to confirm when it was adopted.

The problem is that no one at the Metropolitan Club has shared any documentation proving that any formula other than the published 5% polling formula was in place when the debate was planned and publicly announced. We know that the debate was announced with only two invited participants (Stivers and Neal) before September 25, 2018. Documents prove that. We also know that at that time your Club was publicly saying that the standard was reaching 5% in any recognized poll, such as Marist, etc. No mention was ever made of a monetary alternative. And we also know that there was no poll at all at the time the debate was planned and announced (nor is there one yet), meaning that the invited candidates could not have met the published standard. Yet they were invited anyway. We last know that the Libertarian Party and its candidate had no knowledge of any of this until after your Club had already staged and published the debate, so they could not have supplied your Club with either polling data or financial data before your Club decided to invite Stivers and Neal.

What my clients need, then, and what the FEC will want to see (because the staging organization must prove that it complied with 11 CFR 110.13) is (1) proof that you had this formula back in September when you announced the debate and (2) proof that you actually used it to select the two invited participants. Otherwise your sending this formula can be dismissed as a post hoc rationalization for what was already a done deal excluding the Libertarian Party candidate. That is what happened in the La Botz case that was sent to you before.

Documentation surely would exist if you had and used this formula. See La Botz. If nothing else, you should have documentation (e-mails, for example) proving that you applied this formula when you invited Neal and Stivers.

If you have any documentation at all proving that your Club used this formula when it invited Neal and Stivers please send it to me or Mr. Hall.

Sincerely,

Mark

Mark R. Brown
Newton D. Baker/Baker & Hostetler Chair
Capital University Law School*
*For Identification Only

From: Jane Scott [jane@columbusmetroclub.org]
Sent: Wednesday, October 10, 2018 3:24 PM
To: Brown, Mark; Andrew Campbell
Cc: oliverbhall@gmail.com; brett.kappel@akerman.com
Subject: RE: 2018 debate criteria

Dear Mr. Brown,

Thank you for your letter.

Attached is CMC Debate Qualifications. If your candidate can meet the conditions detailed in our CMC Debate Qualifications, please communicate this with Andrew Campbell and he will include your candidate in the debate.

Thank you,

Jane

10/10/2018

RE: 2018 debate criteria

Jane Scott, President & CEO
Columbus Metropolitan Club
the community's conversation
100 E. Broad St., #100, Columbus, OH 43215
O: 614-464-3220 Ext. 3; C: 614-315-7298
www.columbusmetroclub.org

*Do all the good you can, by all the means you can,
And all the ways you can, at all the times you can,
To all the people you can, as long as ever you can.*

From: Brown, Mark <MBrown@law.capital.edu>
Sent: Wednesday, October 10, 2018 3:01 PM
To: Jane Scott <jane@columbusmetroclub.org>; Andrew Campbell <andrew@columbusmetroclub.org>
Cc: oliverbhall@gmail.com
Subject: RE: 2018 debate criteria

Hi Ms. Scott,

Please see the attached letter from the Libertarian National Committee.

Sincerely,

Mark

Mark R. Brown
Newton D. Baker/Baker & Hostetler Chair
Capital University Law School*
*For Identification Only

From: Jane Scott [jane@columbusmetroclub.org]
Sent: Tuesday, October 09, 2018 4:05 PM
To: Brown, Mark
Cc: oliverbhall@gmail.com
Subject: RE: 2018 debate criteria

Dear Mr. Brown,
Thank you for sharing your comments. We have taken them into consideration.
Jane

Jane Scott, President & CEO
Columbus Metropolitan Club
the community's conversation
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And all the ways you can, at all the times you can,
To all the people you can, as long as ever you can.*

From: Brown, Mark <MBrown@law.capital.edu>
Sent: Monday, October 8, 2018 5:29 PM
To: Jane Scott <jane@columbusmetroclub.org>

10/10/2018

RE: 2018 debate criteria

Cc: oliverbhall@gmail.com

Subject: FW: 2018 debate criteria

Hi Ms. Scott,

It is my understanding that you are the CEO of the Columbus Metropolitan Club. I have been in contact with Andrew Campbell about the Stivers-Neal debate. He appeared helpful at first and volunteered to send me information, but then seemed to turn defensive to my inquiries. I have documents dated September 25, 2018 indicating that the Columbus Metropolitan Club's stated criteria for inclusion in that debate was 5% polling. When I pointed out to Mr. Campbell that there were no polls at all showing any candidate, even the two invited participants, had 5% in any poll, Mr. Campbell informed me that there was an alternative that required \$100K collected and spent according to FEC reports. When I asked if this was ever published, he said no. When I asked if this was used to extend invitations to the major candidates who were invited, he said he did not know. I asked for any kind of documentation showing it was, and then Mr. Campbell apparently became angry.

I am sorry that I made Mr. Campbell angry. I am simply seeking documentation that proves the Columbus Metropolitan Club actually applied a 5% polling OR \$100K formula to select the two invited candidates. Frankly, I doubt that it did, and I think that doubt is understandable. If it has no proof that it did, I can only conclude that Mr. Campbell's explanation is a post hoc rationalization akin to "We could have" I sent to Mr. Campbell a citation to the La Botz case which holds that post hoc rationalizations are not sufficient under the FECA, even if the debate staging organization could have achieved the same result in a permissible fashion.

It may be best if you were to put me in contact with your legal department so that we might discuss this further. I am more than happy to supply you with the legal authorities establishing that debate staging organizations must prove they actually employed permissible pre-existing objective criteria. I can also provide the authorities stating that debate staging organizations cannot simply choose the candidates of the two major political parties, and that they cannot set criteria they know are impossible for minor-party candidates cannot meet.

I hope we can have a dialogue about this before the debate.

I am copying Oliver Hall, legal counsel to the Libertarian National Committee. I represent the Libertarian Party of Ohio.

Sincerely,

Mark

Mark R. Brown
Newton D. Baker/Baker & Hostetler Chair
Capital University Law School*
*For Identification Only

From: Brown, Mark
Sent: Monday, October 08, 2018 3:47 PM
To: Andrew Campbell
Cc: oliverbhall@gmail.com; Paul, Beth
Subject: RE: 2018 debate criteria

Thanks Mr. Campbell,

Thank you for your timely response. As I told you on the phone, you do not have to speak to me or communicate with me in any way. You volunteered. As for proving your innocence, I was simply pointing out that federal law requires that your organization prove via documentation that it has complied with federal tax laws and the federal campaign finance laws when it makes contributions to candidates. The La Botz case I sent you says that.

10/10/2018

RE: 2018 debate criteria

As for my time, I am as you apparently know a faculty member at Capital University. I am also a licensed attorney in Ohio. The Supreme Court of Ohio, my licensing organization, strongly encourages lawyers (including me) to donate pro bono legal services. See <http://www.supremecourt.ohio.gov/AttySvcs/officeAttySvcs/proBono.pdf>. Capital is a member of the AALS (Association of American Law Schools) and is certified by the ABA (American Bar Association). These two organizations both strongly encourage students and faculty alike to engage in pro bono activities. See, e.g., https://www.americanbar.org/groups/legal_education/resources/pro_bono.html; <https://www.aals.org/sections/list/pro-bono/>.

I take my pro bono obligations seriously, and have for about 15 years now donated significant efforts to organizations devoted to reforming ballot access laws and additional barriers presented by governmental and private entities to full and fair treatment in the voting booth. I have represented the Socialist Party, the Natural Law Party, the Libertarian Party, Ralph Nader, and many others who have sought to challenge the two-party political system that presently exists in Ohio and the United States. I do so for free. I, like many law professors across the country in various fields of public service, will continue to do so.

In the event, to avoid confusion I include a "For Identification Only" along with my signature block on e-mails. Any omission of that information is inadvertent.

Sincerely,

Mark

Mark R. Brown
Newton D. Baker/Baker & Hostetler Chair
Capital University Law School*
*For Identification Only

From: Andrew Campbell [andrew@columbusmetroclub.org]
Sent: Monday, October 08, 2018 2:56 PM
To: Brown, Mark
Cc: oliverbhall@gmail.com; Paul, Beth
Subject: RE: 2018 debate criteria

Hello Mr. Brown, it seems that you are requesting that I prove my innocence. I am not inclined to do that at this time. However, I have provided documentation, dialogue, and answered your questions in a timely matter.

I've included Capital University President Beth Paul as I'm sure she'll be interested how you're investing your time there.

I appreciate your outreach and engagement anytime..

My kindest regards,
Andy C

From: Brown, Mark <MBrown@law.capital.edu>
Sent: Monday, October 08, 2018 2:17 PM
To: Andrew Campbell <andrew@columbusmetroclub.org>
Cc: oliverbhall@gmail.com
Subject: RE: 2018 debate criteria

Thanks Mr. Campbell,

10/10/2018

RE: 2018 debate criteria

Do you have documentation, like e-mails, correspondence, etc., proving that you used this financial data to select the invited participants? For example, e-mails to the candidates stating your criteria and asking them to demonstrate that they met it? You did not do this for the LPO candidate, of course, but perhaps you did for the two major candidates. If there is no contemporaneous documentation, it would appear that you cannot meet the FECA requirements. You might take a look at *La Botz v. Federal Election Commission*, 889 F. Supp. 2d 51 (D.D.C. 2012), which warns against post hoc rationalizations.

I have copied Oliver Hall, legal counsel to the Libertarian National Committee.

Thanks.

Mark

Mark R. Brown
Newton D. Baker/Baker & Hostetler Chair
Capital University Law School

From: Andrew Campbell [andrew@columbusmetroclub.org]
Sent: Monday, October 08, 2018 1:19 PM
To: Brown, Mark
Subject: RE: 2018 debate criteria

Hello Mr. Brown, please find FEC finance reports for "Active" Ohio 15th Congressional district candidates Steve Stivers and Rick Neal. There is no Federal Election Commission finance report for the candidate you have inquired on behalf of, Mr. Jonathon Miller.

Based on our stated criteria, without any FEC campaign finance filing, or record of same, or listing it, would be impossible for us to have considered him as a debate participant at any time past or present.

I look forward to future opportunities to provide equal time to all candidates who meet the minimum qualifications for debate participation.

My kindest regards,
Andy Campbell

Steve Stivers FEC election finance report "Active" 2018

TOTAL RECEIPTS	\$3,259,497.24
TOTAL CONTRIBUTIONS	\$3,007,041.38
Total individual contributions	\$953,622.49
<i>Itemized individual contributions</i>	<i>\$942,166.00</i>
<i>Unitemized individual contributions</i>	<i>\$11,456.49</i>
Party committee contributions	\$0.00
Other committee contributions	\$2,053,418.89
Candidate contributions	\$0.00
TRANSFERS FROM OTHER AUTHORIZED COMMITTEES	\$252,455.86
TOTAL LOANS RECEIVED	\$0.00
Loans made by candidate	\$0.00
Other loans	\$0.00
OFFSETS TO OPERATING EXPENDITURES	\$0.00
OTHER RECEIPTS	\$0.00

Total spent:

[Browse disbursements](#)

Coverage dates: 01/01/2017 to 06/30/2018

TOTAL DISBURSEMENTS	\$2,147,599.70
OPERATING EXPENDITURES	\$1,165,999.70
TRANSFERS TO OTHER AUTHORIZED COMMITTEES	\$20,000.00
TOTAL CONTRIBUTION REFUNDS	\$8,100.00
Individual refunds	\$1,500.00
Political party refunds	\$0.00
Other committee refunds	\$6,600.00
TOTAL LOAN REPAYMENTS	\$0.00
Candidate loan repayments	\$0.00
Other loan repayments	\$0.00
OTHER DISBURSEMENTS	\$953,500.00

Rick Neal FEC election finance report "Active" 2018

TOTAL RECEIPTS	\$921,910.25
TOTAL CONTRIBUTIONS	\$646,910.25
Total individual contributions	\$574,871.48
<i>Itemized individual contributions</i>	<i>\$463,829.65</i>
<i>Unitemized individual contributions</i>	<i>\$111,041.83</i>
Party committee contributions	\$0.00
Other committee contributions	\$42,897.94
Candidate contributions	\$29,140.83
TRANSFERS FROM OTHER AUTHORIZED COMMITTEES	\$0.00
TOTAL LOANS RECEIVED	\$275,000.00
Loans made by candidate	\$275,000.00
Other loans	\$0.00
OFFSETS TO OPERATING EXPENDITURES	\$0.00
OTHER RECEIPTS	\$0.00

Total spent[Browse disbursements](#)

Coverage dates: 07/01/2017 to 06/30/2018

TOTAL DISBURSEMENTS	\$418,758.93
OPERATING EXPENDITURES	\$409,733.93
TRANSFERS TO OTHER AUTHORIZED COMMITTEES	\$0.00
TOTAL CONTRIBUTION REFUNDS	\$7,525.00
Individual refunds	\$7,525.00
Political party refunds	\$0.00
Other committee refunds	\$0.00
TOTAL LOAN REPAYMENTS	\$0.00
Candidate loan repayments	\$0.00
Other loan repayments	\$0.00
OTHER DISBURSEMENTS	\$1,500.00

From: Andrew Campbell

Sent: Monday, October 08, 2018 12:50 PM

To: 'mbrown@law.capital.edu' <mbrown@law.capital.edu>

Subject: 2018 debate criteria

Columbus Metropolitan Club General Election Debate Candidate Qualification Criterion 2018

1. Candidate must be on the ballot as of the date of the Debate AND
2. Must meet all other minimum criteria under the Campaign Finance Act ("the Act") AND
 - a. Must have raised and spent \$100,000 in compliance with the Act as reflected in the last filing statement prior to the Debate OR
 - b. Must have achieved at least 5% in any published Poll prior to the Debate. In order to be used in this section the poll must:
 - i. Have a margin of 4.5% or less
 - ii. Include all of the candidates on the ballot (for the election for which the poll is conducted) at the same time the poll is taken.

If no such poll exists, then section (b) may not be used for Debate eligibility for any candidate and section (a) will be used to determine Debate eligibility for all candidates on the ballot for the election for which the Debate is being conducted.

Andrew Campbell
Vice President of Programming
Columbus Metropolitan Club

100 East Broad Street, Suite 100

Columbus, OH 43215

614.464.3220 ext 2 cell: 614.886.3793

Like us! 

ATTACHMENT F

19944474545

10/24/2018

Fwd: Re: Mark Brown and the Columbus Metropolitan Club

Fwd: Re: Mark Brown and the Columbus Metropolitan Club

Oliver Hall [oliverbhall@gmail.com]

Sent: Wednesday, October 24, 2018 2:27 PM

To: Brown, Mark

Does this count as progress?

See below.

Oliver B. Hall
Special Counsel
Libertarian National Committee
617-953-0161

----- Forwarded Message -----

Subject: Re: Mark Brown and the Columbus Metropolitan Club

Date: Wed, 24 Oct 2018 14:26:47 -0400

From: Oliver Hall <oliverbhall@gmail.com>

To: Andrew Campbell <andrew@columbusmetroclub.org>

Understood.

Please advise your attorney of our request for documentation confirming that CMC's criteria existed prior to October 8, 2018.

Thank you,
Oliver Hall

Oliver B. Hall
Special Counsel
Libertarian National Committee
617-953-0161

On 10/24/2018 2:20 PM, Andrew Campbell wrote:

Hi Oliver, counsel advises me to not communicate with you or Mr. Brown further. Thanks in advance for your cooperation.

My kindest regards,
Andy C

From: Oliver Hall <oliverbhall@gmail.com>
Sent: Wednesday, October 24, 2018 1:16 PM
To: Andrew Campbell <andrew@columbusmetroclub.org>
Subject: Re: Mark Brown and the Columbus Metropolitan Club

Thank you for that information. As I mentioned, the questions that we have about CMC's debate could be resolved by some record or documentation showing that the criteria you sent on October 8, 2018 existed before that date.

You indicated that the criteria was revised in August 2018, that a prior version existed in 2017, and that it was based on material that dates back to 2008. Isn't there any written record of the criteria as it existed on those prior dates?

I appreciate that you'd like to move on. The critical issue for us, however, is that CMC hasn't produced any record confirming that its criteria existed prior to October 8, 2018. If any such record exists, it would help resolve our questions about this matter if you would send it along.

10/24/2018

Fwd: Re: Mark Brown and the Columbus Metropolitan Club

Thanks,
Oliver

Oliver B. Hall

Special Counsel

Libertarian National Committee

617-953-0161

On 10/24/2018 12:57 PM, Andrew Campbell wrote:

Hello Oliver, indeed the doc sent to Brown was created on October 8, content cut and paste from program committee agenda material... some of which dates back to 2008.

It's time to move on. I look forward to working with you in the future with candidates who are engaged in their campaign. Thanks!

Andy C

CMC Mobile

On Oct 24, 2018, at 11:08 AM, Oliver Hall <oliverbhall@gmail.com> wrote:

Good Morning Andy,
I'm following up on my request below because it appears that the document you sent outlining CMC's criteria was created on October 8, 2018, the date on which Mark Brown requested it. Is there any record indicating that the criteria existed in 2017, or that it was revised in August 2018?
Thank you,
Oliver Hall

Oliver B. Hall

Special Counsel

Libertarian National Committee

617-953-0161

On 10/23/2018 10:41 AM, Oliver Hall wrote:

Good Morning Andy,
Thanks for the invitation, but I'm not able to attend the forum. Is there a record of the 2017 criteria as it then existed, or of the criteria when it was revised in August 2018? It would be helpful to see a contemporaneous record that was created prior to October 2018.

Thanks,
Oliver Hall

Oliver B. Hall

Special Counsel

Libertarian National Committee

617-953-0161

On 10/22/2018 1:26 PM, Andrew Campbell wrote:

10/24/2018

Fwd: Re: Mark Brown and the Columbus Metropolitan Club

My pleasure and my duty. I remain interested in hosting a discussion featuring a Libertarian point of view at a future forum.

In the meantime perhaps you would be my guest at this upcoming CMC forum, a discussion of Federal versus States rights on October 31st?

<https://columbusmetroclub.wildapricot.org/Admin/Events/Details/EventDetails.aspx?eventId=3074285&DetailsDisplayMode=View&selTab=1>

Kind regards,
Andy C

From: Oliver Hall <oliverbhall@gmail.com>
Sent: Monday, October 22, 2018 1:22 PM
To: Andrew Campbell
<andrew@columbusmetroclub.org>
Subject: Re: Mark Brown and the Columbus Metropolitan Club

Thank you.

Oliver B. Hall
Special Counsel
Libertarian National Committee
617-953-0161

On 10/22/2018 1:09 PM, Andrew Campbell wrote:

The 2018 criteria were carried over from 2017. The date adopted, actually "revised" for 2018, would have been on or around Monday August 6th.

The dates 15th District candidate research was conducted was September 7 through September 20.

The dates this specific criterion was used to qualify, and later invite the 15th District candidates, was over the period between September 10 through October 5.

The date Mr. Brown requested and was provided the criteria was October 8.

The date the 15th Congressional debate was conducted was Friday, October 19.
You can view the debate here:
<https://www.youtube.com/watch?>

10/24/2018

Fwd: Re: Mark Brown and the Columbus Metropolitan Club

v=9PG2RL_B50g

Kind regards,
Andy C

From: Oliver Hall
<oliverbhall@gmail.com>
Sent: Monday, October 22, 2018 12:51 PM
To: Andrew Campbell
<andrew@columbusmetroclub.org>
Subject: Re: Mark Brown and the Columbus Metropolitan Club

Good Afternoon,
Thank you for sending the information below. I appreciate the opportunity to understand CMC's process better.
My specific question, however, is whether you have any record of the date on which CMC adopted the criteria you sent, as well as the date on which it was applied to determine which candidates to invite to the October 19th debate?
If you could please provide that information, it would help clear up the questions we have on our end.
Regards,
Oliver Hall

Oliver B. Hall
Special Counsel
Libertarian National Committee
617-953-0161

On 10/22/2018 12:36 PM, Andrew Campbell wrote:

Hello Mr. Hall; let me explain our process. CMC programming operates from a process of inclusion as opposed to exclusion. We strive to present diverse and alternative points of view in all our weekly forums. If possible I would have welcomed the opportunity to include a Libertarian candidate in a

10/24/2018

Fwd: Re: Mark Brown and the Columbus Metropolitan Club

forum, candidate debate or otherwise... and perhaps other opportunities will present in the future?

CMC election season programming was discussed at the "first Friday" June, August and September program committee meetings. On September 7 it was decided that CMC should pursue a 15th Congressional District debate along with several other congressional and statewide issues and races.

At that time, I do the following;

1. Refer to the Ohio Secretary of State website to review the official ballot for each CMC desired forum, issue or race.
2. Specific to the 15th District, identify all candidates on the ballot.
3. Research the candidates, obtain contact information and determine if we can include them in the conversation based on our criteria.
4. Specific to Libertarian candidate Johnathon Miller; very limited information available. His website is the sole source of reference, where he has incorrectly identified U.S. Senator Sherrod Brown as his congressman. No news coverage, no campaign appearances, and most importantly, no polling or campaign finance reporting is available.
5. Based the information available, or lack thereof, this candidate is not

10/24/2018

Fwd: Re: Mark Brown and the Columbus Metropolitan Club

running an active
campaign.
6. No contact information
for the candidate is
available.
7. Move on to the next
issue or race.

Not sure what else to tell
you.

Thanks in advance for your
consideration.

My kindest regards,
Andy C

From: Oliver Hall
<oliverbhall@gmail.com>
Sent: Monday, October 22,
2018 10:57 AM
To: Andrew Campbell
<andrew@columbusmetroclub.org>
Subject: Re: Mark Brown
and the Columbus
Metropolitan Club

Dear Mr. Campbell,
Thank you for contacting
me.

Do you have any record
of when the Columbus
Metropolitan Club
adopted the criteria that
you sent, as well as the
date on which it was
applied to determine
which candidates to
invite to the October
19th debate?

Regards,
Oliver Hall

Oliver B. Hall

Special Counsel

Libertarian National Committee

617-953-0161

On 10/22/2018 9:50 AM,
Andrew Campbell wrote:

10/24/2018

Fwd: Re: Mark Brown and the Columbus Metropolitan Club

Dear Mr. Hall,
for your
information I
have attached
The
Columbus
Metropolitan
Club's 2018
debate
qualifications.
These same
qualifiers
where
provided to
Mr. Brown in
writing and
by email on
several
occasions
well in
advance of
our 15th
Congressional
debate held
on Friday,
October 19.

In the
correspondence
that you have
been
included, Mr.
Brown has
largely
distorted the
facts to
advance his
belief and
claim that
maleficence
has occurred
regarding the
inclusion or
exclusion of
the
Libertarian
candidate Mr.
Jonathon
Miller. Please
be aware that
Mr. Miller has
not filed a
FEC campaign

10/24/2018

Fwd: Re: Mark Brown and the Columbus Metropolitan Club

finance
report.

CMC is a non-
profit
dedicated to
providing
public,
community
conversations
and welcome
alternative
points of
view.

My kindest
regards,
Andy C

Andrew
Campbell
*Vice
President of
Programming*
**Columbus
Metropolitan
Club**

100 East Broad
Street, Suite 100
Columbus,
OH 43215
614.464.3220 ext 2
cell: 614.886.3793

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[<image001.gif>](#)

Columbus Metropolitan Club

General Election Debate Candidate Qualification Criterion 2018

1. Candidate must be on the ballot as of the date of the Debate AND
2. Must meet all other minimum criteria under the Campaign Finance Act ("the Act") AND
 - a. Must have raised and spent \$100,000 in compliance with the Act as reflected in the last filing statement prior to the Debate OR
 - b. Must have achieved at least 5% in any published Poll prior to the Debate. In order to be used in this section the poll must:
 - i. Have a margin of error of 4.5% or less
 - ii. Include all of the candidates on the ballot (for the election for which the poll is conducted) at the same time the poll is taken.

If no such poll exists, then section (b) may not be used for Debate eligibility for any candidate and section (a) will be used to determine Debate eligibility for all candidates on the ballot for the election for which the Debate is being conducted.

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ATTACHMENT H

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Columnius Metropolitan Club debate qualifications Prop...

General Security Details Previous Versions

Property	Value
Title	
Subject	
Tags	
Categories	
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Origin	
Authors	Andrew Campbell
Last saved by	Andrew Campbell
Revision number	4
Version number	
Program name	Microsoft Office Word
Company	
Manager	
Content created	10/6/2018 12:24 PM
Date last saved	10/6/2018 1:33 PM
Last printed	10/6/2018 1:19 PM
Total editing time	00:27:00
Content	
Content status	

Remove Properties and Personal Information

OK Cancel Apply



COMPETITIVE DEMOCRACY

9:34 AM
10/23/2018